

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHAKA FATTAH, JR.,	:	CIVIL ACTION
	:	
Plaintiff	:	
	:	
v.	:	No. 14-1092-TJS
	:	
UNITED STATES OF AMERICA, et al.,	:	
	:	
Defendants.	:	

JOINT MOTION TO STAY THE CASE


On August 27, 2014, this Court entered an order dismissing some of the named defendants and some of Plaintiff's claims. (*See* Doc.23; *see also* Doc. 22 (memorandum opinion).) The remaining claims are Plaintiff's claim for damages under 26 U.S.C. § 7431 as against the United States and Internal Revenue Service, and Plaintiff's claim for a refund of certain tax penalties. (*See id.*).

After conferring, and in light of the pending criminal proceedings involving the Plaintiff and the recognition that civil discovery in this case may implicate issues and persons involved in the criminal proceedings, Plaintiff and Defendants, the United States of America and the Internal Revenue Service, collectively herein "the Parties," jointly move the Court to stay this civil case, including all deadlines and proceedings, as described below. (*See also* Doc. 19 (Plaintiff's request to stay the civil case).) As set forth in the consent Order submitted herewith, the Parties move the Court to stay the case as to Plaintiff's section 7431 claim until the criminal proceedings against Plaintiff are fully resolved. *See United States v. Chaka Fattah, Jr.*, Crim. No. 14-00409-HB (E.D. Pa.). As to Plaintiff's refund claim, however, the Parties ask the Court to stay this case for sixty (60) days so that the Parties can attempt in good faith to resolve some or all of the issues raised in that claim. Prior to the expiration of the sixty (60) days, either or both of the Parties

may request that the Court extend the stay. If neither of the Parties requests an extension, the Defendants will prepare and file an Answer as to the Plaintiff's refund claim ten (10) days after the expiration of the stay.

WHEREFORE, the Parties move the Court to stay this case as set forth in the proposed consent order submitted herewith.

WE ASK FOR THIS:



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